

**IN THE HIGH COURT OF PUNJAB & HARYANA AT
CHANDIGARH**

CRM-M No.27179 of 2022 (O&M)

Date of Decision: 12.10.2022

Sukhwinder Kaur

.....Petitioner.

Versus

State of Haryana

.....Respondent.

CORAM: HON'BLE MRS. JUSTICE MEENAKSHI I. MEHTA

Present:- Mr. R.S. Mamli, Advocate
for the petitioner.

Ms. Ambika Sood, Addl. A.G, Haryana
for the respondent-State.

MEENAKSHI I. MEHTA, J.(Oral)

The petitioner herein seeks the relief of regular bail in the criminal case arisen out of the FIR bearing No.0104 dated 10.05.2022 registered at Police Station Jhansa, District Kurukshetra, under Sections 2, 3, 3(A), 4, 5, 6, 23, 29 and Rules 3(3), 4, 9, 10, 18 (1 to 11) of the Pre-conception and Pre-natal Diagnostic Techniques Act, 1994 as well as Sections 420 and 120-B IPC.

2. Shorn and short of unnecessary details, the allegations, as levelled against the petitioner in the present case, are that she, along-with her co-accused Babita, had taken the decoy named Saroj Bala to her co-accused for the purpose of pre-natal sex determination of her foetus.

3. Learned State counsel has submitted the custody-certificate of the petitioner in the Court today and the same is taken on the record.

4. I have heard learned counsel for the petitioner as well as

learned State counsel in the instant petition and have also perused the file carefully.

5. Learned counsel for the petitioner contends that the petitioner is behind the bars since the date of her arrest, i.e 11.05.2022 and the Challan has already been presented before the competent Court and the petitioner is also not involved in any other criminal case of the similar nature and the offences involved in the present case are triable by the Court of the Magistrate and in these circumstances, the petitioner deserves the relief as prayed for in this petition.

6. Learned State counsel does not dispute the afore-referred factual position but she opposes the prayer of the petitioner for grant of regular bail.

7. However, keeping in view the above-discussed facts and circumstances as well as the fact that the trial of the case is likely to take sufficient time to conclude and without commenting or expressing any opinion on the merits of the case, the petitioner named Sukhwinder Kaur is ordered to be released on regular bail subject to her furnishing the requisite personal and surety bonds to the satisfaction of learned trial Court/Chief Judicial Magistrate/Duty Magistrate concerned.

8. The instant petition stands allowed accordingly.

(MEENAKSHI I. MEHTA)
JUDGE

October 12, 2022
Yag Dutt

<i>Whether speaking/reasoned:</i>	<i>Yes</i>
<i>Whether Reportable:</i>	<i>No</i>